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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,963	07/25/2001	Yoshi Fujita	393032027300	7127
25224 7590 12/04/2007 MORRISON & FOERSTER, LLP 555 WEST FIFTH STREET SUITE 3500 LOS ANGELES, CA 90013-1024			EXAMINER SELLERS, DANIEL R	
			ART UNIT 2615	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time-period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/912,963

Applicant(s)

FUJITA ET AL

Examiner

Daniel R. Sellers

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,9,14 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,9,14 and 19 is/are allowed.
- 6) ☒ Claim(s) 20-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pp. 11-13, filed 8/20/07, with respect to claims 1, 9, 14, and 19 have been fully considered and are persuasive. The rejection of claims 1, 9, 14, and 19 has been withdrawn.
2. Claims 20-22 have been reconsidered and a new ground(s) of rejection is presented in the following.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. **Claims 20-22** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by the Owner's Manual of the VS-1680 Digital Studio Workstation by the Roland Corporation (hereinafter Roland).
5. Regarding **claim 20**, Roland teaches a multi-track digital recording/reproducing apparatus for recording and reproducing digital audio data by using multiple tracks, comprising:
 - a display section (p. 16, item 1);
 - a plurality of input sections that input audio data from at least one external device (pp. 18-19, items 13-15);
 - a plurality of mixing input channels that control characteristics of the audio data inputted thereto, and output the audio data (pp. 14-15, item 6);
 - an input patch section that causes said display section to display a status of assignment of the plurality of input sections to the plurality of mixing input channels, sets the status of assignment according to user's operation, and connects between the plurality of input sections and the plurality of mixing input channels so as to selectively input the audio data from the plurality of input sections to the plurality of mixing input channels according to the set status of assignment (p. 25, Input Mixer and p. 61, lower picture);

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a plurality of mixing buses that mix a plurality of the audio data inputted thereto, and output the mixed audio data (pp. 24-27);

a mixing selection section that causes said display section to display an output status of the audio data outputted from the plurality of mixing input channels to the plurality of mixing buses, sets the output status according to user's operation, and selectively outputs the audio data from the plurality of mixing input channels to the plurality of mixing buses according to the set output status (p. 25, "Channels not assigned to tracks are output directly from the MASTER jacks." and p. 42, top picture);

a recorder that is capable of recording a plurality of the audio data supplied thereto on a plurality of tracks simultaneously (p. 12);

a recording selection section that causes said display section to display a status of assignment of the plurality of mixing buses or the plurality of mixing input channels to the plurality of tracks, sets the status of assignment according to user's operation, and selectively inputs the audio data outputted from the plurality of mixing buses or the plurality of mixing input channels to the plurality of tracks (p. 25, "The output of each channel is assigned to tracks to be recorded." reads on assignment of the plurality of mixing input channels to the plurality of tracks);

a selecting section that selects any one of the plurality of mixing input channels (p. 16); and

a channel-path display control section that causes said display section to display in graphical representation, concerning the mixing input channel selected by said selecting section, the status of assignment set by said input patch section, the output status set by said mixing selection section, and the status of assignment set by said recording selection section simultaneously, in an arrangement along a transfer path of the audio data input to the mixing input channel selected by said selecting section (p. 26, track mixer, p. 42, input and track mixer settings, and p. 45, top picture).

6. Regarding claim 21, Roland teaches multi-track digital recording/reproducing apparatus for recording and reproducing digital audio data by using multiple tracks, comprising:

a plurality of input sections that input audio data from at least one external device (pp. 18-19, items 13-15);

a plurality of mixing input channels that control characteristics of the audio data inputted thereto, and output the audio data (pp. 14-15, item 6);

a recorder that is capable of recording or reproducing a plurality of the audio data supplied thereto on or from a plurality of tracks thereof simultaneously (p. 12);

a plurality of recorder channels that are permanently assigned to respective ones of the plurality of tracks of said recorder, the plurality of recorder channels each inputting the audio data from an associated one of the plurality of tracks, controlling characteristics of the inputted audio data, and outputting the audio data (p. 26, Track Mixer);

a plurality of mixing buses that selectively input and mix a plurality of the audio data outputted from the plurality of mixing input channels and the plurality of recorder channels, and output the mixed audio data (p. 25, Input Mixer and p. 26, Track Mixer);

an input patch section that selectively assigns at least one of the plurality of input sections to at least one of the plurality of mixing input channels according to user's operation, and connects between the at least one of the plurality of input sections and the at least one of the plurality of mixing input channels so as to input the audio data from the at least one of the plurality of input sections to the at least one of the plurality of mixing input channels according to the assignment (pp. 25-26; wherein the

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"Input mixer is placed before the recorder section" and "Track mixer is placed after the recorder section"; and p. 42, Input Mixer Settings and Track Mixer Settings); and

a recording selection section that assigns at least one of the plurality of mixing buses and the plurality of mixing input channels to at least one of the plurality of tracks according to user's operation, and connects between the at least one of the plurality of mixing buses and the plurality of mixing input channels and the at least one of the plurality of tracks so as to input the audio data from the at least one of the plurality of mixing buses and the plurality of mixing input channels to the at least one of the plurality of tracks according to the assignment by said recording selection section (p. 61, Recording to the Tracks),

wherein, when a mixing input channel is assigned to a track by said recording selection section, the mixing input channel is directly connected to the track (p. 26, Track Mixer and p. 61, Recording to the Tracks).

7. Regarding **claim 22**, Roland teaches a multi-track digital recording/reproducing apparatus for recording and reproducing digital audio data by using multiple tracks, comprising:

a plurality of input sections that input audio data from at least one external device (pp. 18-19, items 13-15);

a plurality of input channels that control characteristics of the audio data inputted thereto, and output the audio data (pp. 14-15, item 6);

a plurality of mixing buses that input and mix a plurality of the audio data outputted from the plurality of input channels, and output the mixed audio data (pp. 24-27);

a recorder that is capable of recording or reproducing a plurality of audio data supplied thereto on or from a plurality of tracks simultaneously (p. 12);

an input patch that selectively assigns at least one of the plurality of input sections to at least one of the plurality of input channels when an instruction for assigning anyone of the plurality of input sections to the at least one input channel is given by a user, and connects between the at least one of the plurality of input sections and the at least one of the plurality of input channels so as to input the audio data from the at least one of the plurality of input sections to the at least one of the plurality of input channels according to the assignment (p. 25, Input Mixer and p. 42, Input Mixer Settings);

a recording selector that assigns at least one of the plurality of mixing buses and the plurality of input channels to at least one of the plurality of tracks when an instruction for assigning any one of the plurality of input channels and the plurality of mixing buses to the at least one track is given by the user, and connects between the at least one of the plurality of mixing buses and the plurality of input channels and the at least one of the plurality of tracks so as to input the audio data from the at least one of the plurality of mixing buses and the plurality of input channels to the at least one of the plurality of tracks according to the assignment by said recording selector (p. 26, Track Mixer and p. 61, Recording to the Tracks); and

a collective setting section that is responsive to user's single operation for causing said input patch to assign each of the designated input sections to an associated one of the designated input channels, and causing said recording selector to assign each of the designated input channels to an associated one of the designated tracks in a collective manner, said user's single operation including designation of input sections from among the plurality of input sections, designation of input channels from among the plurality of input channels, and designation of tracks from among the plurality of tracks (p. 41, Storing Routings as a Single List (Template)).

Allowable Subject Matter

8. Claims 1, 9, 14, and 19 are allowed.
9. Claim 1 is allowable because the prior art of record does not teach or suggest a reproducing track-number limiting section with these features. Specifically, the prior art does not teach or suggest said section, which automatically changes a predetermined track from the mute OFF (playback) state to the mute ON (muted) state when said section increases the number of tracks set to a recording ON state and the number of reproducible decreases below the number of tracks set to the mute OFF state, wherein said section inhibits the mute track-setting section from setting more that said reproducible number of tracks to the mute OFF state.
10. Claim 9 is allowable for similar reasons as claim 1. The prior art of record does not teach or suggest a reproducing track-number limiting section with these features.
11. Claim 14 is allowable for the same reason as claim 1. The prior art of record does not teach or suggest a reproducing track-number limiting section with these features.
12. Claim 19 is allowable because it depends on allowable claim 1.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ajamian, U.S. Patent No. 6,870,936.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel R. Sellers whose telephone number is 571-272-7528. The examiner can normally be reached on Monday to Friday, 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DRS



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SUPERVISORY PATENT EXAMINER